

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
Commercial Metals Company,

Plaintiff,

-against-

Genco Wisdom Ltd., et al.,

Defendants.  
-----X

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: January 6, 2010

09 Civ. 1830 (PAC)  
**ORDER OF DISCONTINUANCE**

HONORABLE PAUL A. CROTTY, United States District Judge:

The Court having been advised that all claims asserted herein have been settled, it is,

ORDERED, that the above-entitled action be and hereby is discontinued, without costs to either party, subject to reopening should the settlement not be consummated within sixty (60) days of the date hereof. The Court will sign a Stipulation and Order of Settlement upon receipt from either party. The Clerk of Court is directed to terminate any pending deadlines, future conferences and this case.

Dated: New York, New York  
January 6, 2010

SO ORDERED

  
\_\_\_\_\_  
PAUL A. CROTTY  
United States District Judge

*Spagnoletti & Co.*  
ATTORNEYS AT LAW

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January 4, 2010

**VIA EMAIL: CrottyNYSDChambers@nysd.uscourts.gov**

United States District Court  
Southern District of New York  
ATTN: Honorable Judge Paul A. Crotty  
500 Pearl Street, Chambers 735  
Courtroom 20-C  
New York, NY 10007

RE: *Commercial Metals Company v. MV Genco Wisdom, in rem, et al.*  
Case No. 09 CIV 1830

Dear Judge Crotty:

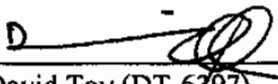
Please be advised the above matter has been settled. The Parties are in the process of exchanging closing papers, and respectfully request the matter be closed pending a motion to reinstate no later than 60 days from this date if there is a failure to document the settlement, or on such other schedule as the Court may direct.

The Parties also respectfully request the next pretrial conference set for **January 28, 2010**, be adjourned.

Respectfully submitted,

**SPAGNOLETTI & CO.**

401 Louisiana Street, 8<sup>th</sup> Floor  
Houston, Texas 77002  
(713) 653-5600

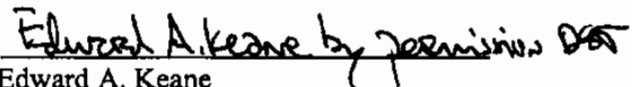
By:   
David Toy (DT-6397)

ATTORNEY FOR PLAINTIFF  
COMMERCIAL METALS COMPANY

Respectfully submitted,

**MAHONEY & KEANE, LLP**

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By:   
Edward A. Keane

ATTORNEY FOR DEFENDANTS  
GENCO WISDOM LTD., GENCO  
SHIP MANAGEMENT, LLC AND  
HYUNDAI MERCHANT MARINE CO.,  
LTD.